

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, September 6, 2011, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding  
Alderman Valerie Joh  
Alderman Benjamin K. Mallicote  
Alderman Michael McIntire

Vice-Mayor Tom C. Parham  
Alderman Tom Segelhorst  
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager  
J. Michael Billingsley, City Attorney  
James H. Demming, City Recorder

I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.

II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** City Planner, Jason Meredith.

II.B. **INVOCATION:** By Mike Beverly, Minister – Indian Springs Christian Church.

III. **ROLL CALL:** By City Recorder Jim Demming.

IV. **RECOGNITIONS AND PRESENTATIONS.**

1. Fire Accreditation – Chief Dye stated that the Kingsport Fire Department has once again received accreditation from the Commission on Fire Accreditation International for the next five years. Kingsport was the first department in Tennessee to achieve this honor and is currently only one of three cities (including Nashville and Maryville) to hold accreditation status.

V. **APPROVAL OF MINUTES.**

Motion/Second: Joh/Parham, to approve minutes for the following meetings:

- A. August 15, 2011 Regular Work Session
- B. August 16, 2011 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 4 Part A Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 204-2011).** City Planner Ken Weems presented information on this item.

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**PUBLIC COMMENT ON ITEM VI.AA.1.** Mr. Cliff Cox, 4324 Ridgemont Drive, spoke against the annexation, noting hard economic times.

Motion/Second: Shupe/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 4 PART A ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG DE LEE DRIVE, RIDGEMONT DRIVE, WENDOVER DRIVE, MONTFORD DRIVE, GROVE DRIVE, AND FAIRLAWN DRIVE TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2012-032,** A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 4 PART A ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

**2. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 4 Part B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 205-2011).** City Planner Ken Weems presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.2.** None.

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 4 PART B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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Motion/Second: Segelhorst/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG LEBANON ROAD AND ROSE HAVEN COURT TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2012-033**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 4 PART B ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**3. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 4 Part C Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 206-2011).** City Planner Ken Weems presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.3.** None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 4 PART C ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MEADOWBROOK DRIVE, BUCHELEW DRIVE, GLENCLIFF DRIVE, KENDRICK CREEK ROAD, QUAIL HEIGHTS COURT, AND MEADOW LANE TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Segelhorst/Joh, to pass:

**Resolution No. 2012-034**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 4 PART C ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

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**4. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights 3 Piece Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 207-2011).** City Planner Ken Weems presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.4.** Ms. Gwendolyn Buchanan, 308 Oak Court, spoke in favor of the annexation, stating she wanted to attend Kingsport City Schools.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS 3 PIECE ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG OAK COURT, CLAYMORE DRIVE, AND MEADOW LANE TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2012-035, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS 3 PIECE ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE**

Passed: All present voting "aye."

**5. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Shipley Ferry Road West Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 208-2011).** City Planner Ken Weems presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.5.** None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE SHIPLEY FERRY ROAD WEST ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME

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WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT,  
TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO  
ZONE PROPERTY ALONG SHIPLEY FERRY ROAD WEST TO B-3, HIGHWAY  
ORIENTED BUSINESS DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN  
COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO  
FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Segelhorst, to pass:

**Resolution No. 2012-036**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR  
THE SHIPLEY FERRY ROAD WEST ANNEXATION OF THE CITY OF KINGSPORT,  
TENNESSEE

Passed: All present voting "aye."

**6. Public Hearing and Consideration of Ordinances to  
Annex/Amend Zoning of the North Kingsport A Annexation and Consideration of  
a Resolution Adopting the Plan of Services (AF: 234-2011).** City Planner Jason  
Meredith presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.6.** None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE  
PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT,  
EMBRACING THAT CERTAIN PART OF THE 12<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN  
COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSPORT A  
ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME  
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT,  
TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO  
ZONE THE NORTH KINGSPORT A PROPERTY TO R-1B, RESIDENTIAL DISTRICT,  
AND B-3, GENERAL BUSINESS DISTRICT, IN THE 12<sup>TH</sup> CIVIL DISTRICT OF  
SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS  
ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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Motion/Second: Joh/McIntire, to pass:

**Resolution No. 2012-037, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NORTH KINGSPORT A ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE**

Passed: All present voting "aye."

**7. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the North Kingsport B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 235-2011).** City Planner Jason Meredith presented information on this item.

**PUBLIC COMMENT ON ITEM VI.AA.7.** Ms. Melissa Henry and Mr. Anthony Henry, both of 824 Edison Street, spoke against the annexation, voicing concerns about rusty water, sewer tap fees and how parcels are chosen for annexation.

Mr. Meredith explained parcels are chosen to provide clarity to city services already rendered in an area, such as schools and fire protection. Mayor Phillips stated that no one needs to have unsafe drinking water and Public Works Director Ryan McReynolds stated he would look into it. Alderman Joh noted that sewer service would increase the value of a home. City Manager Campbell and Mr. McReynolds also commented on when a sewer hook-up to the property was actually required. Mr. Meredith noted in the plan of services that sewer service would not be for five years.

Mr. James Hensley, 827 Edison Street, commented on the sewer issue and spot annexation. Mr. Meredith stated there were other annexations planned in north Kingsport. Alderman McIntire also commented on the intention of the Planning Commission.

Motion/Second: McIntire/Segelhorst, to pass:

**AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 12<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSPORT B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

**AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE THE NORTH KINGSPORT B PROPERTY TO R-1B, RESIDENTIAL DISTRICT IN THE 12<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on first reading: All present voting "aye."

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Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2012-038, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NORTH KINGSPORT B ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE**

Passed: All present voting "aye."

**A. PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Enter into a Materials Agreement with Jane Karst Related to the Jane Karst Subdivision and an Ordinance to Appropriate the Funds (AF: 232-2011).**

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2012-039, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MATERIALS AGREEMENT WITH JANE KARST RELATED TO JANE KARST SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT**

Passed: All present voting "aye."

Motion/Second: Joh/Segelhorst, to pass:

**AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BY TRANSFERRING FUNDS TO THE JANE KARST SUBDIVISION PROJECT (SW1274); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on first reading: All present voting "aye."

**2. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Enter into a Materials Agreement with M & M Builders Related to Brookton Park Subdivision and an Ordinance to Appropriate the Funds (AF: 233-2011).**

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2012-040, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MATERIALS AGREEMENT WITH M & M BUILDERS RELATED TO BROOKTON PARK SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT**

Passed: All present voting "aye."

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Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BY TRANSFERRING FUNDS TO THE BROOKTON PARK SUBDIVISION PROJECT (SW1273); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**3. Consideration of an Ordinance Appropriating Grant Funds Received from the Local Parks and Recreation Fund (LPRF) Grant Administered by the Tennessee Department of Environment and Conservation for Lighting the Lynn Garden Community Center's Athletic Football Field (AF: 242-2011).** City Manager Campbell provided details on this item, noting that although the grant was received a year ago, the State just recently gave the go ahead for this project. Mayor Phillips stated he thought this would be done by now. Assistant to the City Manager Chris McCartt also added that it was normal for such a delay, however the new TDEC commissioner is aware of this issue and is trying to expedite the process.

Motion/Second: Shupe/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BY APPROPRIATING GRANT FUNDS RECEIVED FOR THE LYNN VIEW PARK PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**4. Consideration of an Ordinance Appropriating Grant Funds Received from the Tennessee Department of Agriculture (AF: 243-2011).**

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BY APPROPRIATING GRANT FUNDS RECEIVED FOR THE FARMER'S MARKET FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**5. Consideration of an Ordinance Appropriating Grant Funds Received from the Tennessee Department of Environment and Conservation Recreational Trails Program (RTP) Grant (AF: 244-2011).** City Manager Campbell stated this was an \$80,000 grant with a match of \$20,000 from the K-PLAY project and will be around Domtar Park.

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BY APPROPRIATING GRANT FUNDS RECEIVED FOR DOMTAR PARK FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.**



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**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Receive an Area Agency on Aging and Disability Grant (AF: 202-2011).**

Motion/Second: Shupe/Parham, to pass:

**Resolution No. 2012-041, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE GRANT FUNDING FOR FISCAL YEAR 2011-2012 FROM THE AREA AGENCY ON AGING AND DISABILITY**

Passed: All present voting "aye."

**2. Consideration of a Resolution Amending the Agreement with Tysinger Hampton & Partners Regarding Cleek Road and New Beason Well Road Improvements – Phase II and Authorize the Mayor to Sign All Applicable Documents (AF: 220-2011).** City Manager Campbell explained this would provide extra money to the engineer in order to fix a site distance problem on Orebank Road.

Motion/Second: McIntire/Shupe, to pass:

**Resolution No. 2012-042, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TYSINGER, HAMPTON & PARTNERS, INC. FOR PHASE II OF THE CLEEK ROAD AND NEW BEASON WELL ROAD IMPROVEMENT PROJECT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT**

Passed: All present voting "aye."

**3. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply and Receive the Assistance to Firefighters (AFG) Grant through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 225-2011).** City Manager Campbell gave details on this item, noting the application was in two parts; one for bunker gear and \$500,000 for a fire truck.

Motion/Second: Shupe/Parham, to pass:

**Resolution No. 2012-043, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE TWO ASSISTANCE TO FIREFIGHTERS GRANTS FROM THE UNITED STATES FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY FOR THE KINGSPORT FIRE DEPARTMENT**

Passed: All present voting "aye."

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**4. Consideration of a Resolution Authorizing the Mayor to Execute an Annual Renewal of Public Library Maintenance of Effort Agreement and a Public Library Service Agreement with the Tennessee State Library and Archives for Services via Watauga Regional Library (AF: 230-2011).** City Manager Campbell explained this was an agreement to maintain funding at the current level in order to receive benefits.

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2012-044,** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PUBLIC LIBRARY SERVICE AGREEMENT AND A PUBLIC LIBRARY MAINTENANCE OF EFFORT AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES TO RECEIVE FUNDING FOR BOOKS AND TRAINING AND FOR SERVICES THROUGH THE WATAUGA REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2011/2012

Passed: All present voting "aye."

**5. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for 9 School Buses to Central States Bus Sales (AF: 231-2011).** City Manager Campbell stated this was the second phase of a major replacement effort, noting Tennessee has strict guidelines regarding years of service for buses.

Motion/Second: Segelhorst/Joh, to pass:

**Resolution No. 2012-045,** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR NINE SCHOOL BUSES FROM CENTRAL STATES BUS SALES

Passed: All present voting "aye."

**6. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with American Healthway Services, LLC and the City of Kingsport (AF: 214-2011).** City Manager Campbell explained this would allow participation in the Silver Sneakers Program.

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2012-046,** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A HEALTHWAYS PROVIDER AGREEMENT WITH AMERICAN HEALTHWAY SERVICES, LLC TO PROVIDE THE SILVERSNEAKERS PROGRAM AT THE KINGSFORT SENIOR CENTER

Passed: All present voting "aye."

**7. Consideration of a Resolution Amending Resolution No. 2012-031 in the City Code Related to Water Usage Rates – Minimum Monthly Charges (AF: 227-2011).**

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Motion/Second: Parham/Joh, to pass:

**Resolution No. 2012-047**, A RESOLUTION AMENDING RESOLUTION NO. 2012-031 TO PROVIDE FOR CHANGES IN THE CHARGES IN CHAPTER 106-UTILITIES FOR MINIMUM WATER USAGE RATES

Passed: All present voting "aye."

**8. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Grant from the Home Depot Foundation for the Enhancing of the Kingsport Greenbelt by Completing Aspects of the Kingsport Greenbelt Vegetation Enhancement Plan (AF: 237-2011).** Mayor Phillips commented that the Governor recently presented a check for \$600,000 to complete the bridge on Rotherwood Drive. Vice-Mayor Parham commended Home Depot for stepping forward on their own initiative to do work on the greenbelt.

Motion/Second: Shupe/McIntire, to pass:

**Resolution No. 2012-048**, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM THE HOME DEPOT FOUNDATION FOR THE KINGSFORT GREENBELT

Passed: All present voting "aye."

**9. Consideration of a Resolution to Create an Airport Authority for the Tri-Cities Airport (AF: 236-2011).**

Motion/Second: Parham/McIntire, to pass:

**Resolution No. 2012-049**, A RESOLUTION TO CREATE A REGIONAL AIRPORT AUTHORITY TO OWN AND OPERATE THE TRI-CITIES REGIONAL AIRPORT, TN/VA

Passed: All present voting "aye."

**10. Consideration of a Resolution Authorizing the City of Kingsport to Participate in the TML Risk Management Pool "Driver Safety" Matching Grant Program (AF: 226-2011).**

Motion/Second: Segelhorst/Joh, to pass:

**Resolution No. 2012-050**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM THE TENNESSEE RISK MANAGEMENT POOL FOR THE PURCHASE OF SAFE DRIVING RELATED TRAINING AND MATERIALS

Passed: All present voting "aye."

**11. Consideration of a Resolution Approving the Intent to Transfer the Kingsport Aquatic Center Project to the Kingsport Industrial Development Board of the City of Kingsport (KIDB) (AF: 240-2011).** Assistant to the City Manager Chris McCartt stated this was a request to move the project to the KEDB so they can

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manage it, like they did the parking garage. He further stated that additional documents will follow and confirmed for Mayor Phillips they were dealing with the low bidder. Alderman McIntire stated he was uncomfortable with these proceedings and would like to have more participation in the future. Mayor Phillips shared his concern with voting, but noted it would come back to the Board with a "not to exceed" price of up to \$3 million more. He further stated if we scrapped the project now, we would lose the \$2.5 million already invested and still have no swimming pool. Alderman Mallicote stated he would support it only because it was the least terrible option. Alderman Joh was delighted to be going ahead with this project that has been promised for years and hopes that those who aren't happy now, will be happy when it's finished. Vice-Mayor Parham commented this was a significant opportunity for Kingsport, noting that although it was more than anticipated, it has been better defined along the way.

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2012-051**, A RESOLUTION EXPRESSING AN INTENT TO TRANSFER THE KINGSFORT AQUATIC CENTER PROJECT TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye" except McIntire voting "nay."

**12. Consideration of a Resolution Authorizing the Mayor to Execute a Notice of Approval for the Press Commons Property** (AF: 238-2011). City Attorney Billingsley explained this was a requirement from TDEC (Tennessee Department of Environment and Conservation), being part of an action plan left hanging regarding the Food City property, which is considered a Brownsfield. Nothing was found and that has to be recorded with the Register of Deeds.

Motion/Second: McIntire/Shupe, to pass:

**Resolution No. 2012-052**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NOTICE OF APPROVAL PURSUANT TO NOTICE OF LAND USE RESTRICTIONS FOR THE PROPERTY NOW OWNED BY PRESS COMMONS, LLC AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE NOTICE

Passed: All present voting "aye."

**13. Consideration of a Resolution to Amend the Present Contract with Lose and Associates for Work Associated with the Design of the Kingsport Aquatic Center and to Authorize the Mayor to Sign All Documents Necessary and Proper as it Relates to the Amendment** (AF: 241-2011). Assistant to the City Manager Chris McCartt explained this would provide funding to allow for a final design. He further commented this would approve the \$3 million gap for the project, site-work and natatorium, noting the Board's desire to complete this project all at once, rather than splitting it up into phases. Mr. McCartt confirmed for Alderman McIntire that some work was already under way.

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Motion/Second: Parham/Joh, to pass:

**Resolution No. 2012-053**, A RESOLUTION AMENDING THE AGREEMENT WITH LOSE AND ASSOCIATES FOR KINGSPORT AQUATIC CENTER PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE AMENDMENT

Passed: All present voting "aye."

**14. Consideration of a Resolution Authorizing the Mayor to Sign a Contract Amendment with the Tennessee Department of Transportation on Behalf of the Kingsport MPO for FY11 Federal Planning Fund Budget Modifications (AF: 245-2011).**

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2012-054**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE GRANT CONTRACT BETWEEN THE CITY OF KINGSPORT AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE KINGSPORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS.** None.

**VII. CONSENT AGENDA.**

**Consent Agenda items 2 and 3 were considered under one motion.**

**1. Consideration of an Ordinance to Amend the Various Funds to Adjust Budgets for Year End (AF: 193-2011).** Mayor Phillips pulled this item from the consent agenda for further consideration after voting on Items VII.2 and VII.3. Budget Director Judy Smith explained that there were some last minute adjustments in the health insurance funds.

Motion/Second: Joh/Parham, to amend.

Motion/Second: Segelhorst/McIntire, to adopt as amended:

**Ordinance No. 6105**, AN ORDINANCE TO AMEND THE GENERAL FUND AND THE HEALTH INSURANCE FUND FOR FISCAL YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**2. Consideration of an Ordinance to Amend the Special School Projects Fund (AF: 213-2011).**

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Motion/Second: Joh/Shupe, to adopt:

**Ordinance No. 6106**, AN ORDINANCE TO AMEND THE SPECIAL SCHOOL PROJECTS FUND FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**3. Consideration of Approval of Offers for Easements and Rights-of-Way for Rock Springs Stonetree Area Sewer Extension Project (AF: 239-2011).**

Motion/Second: Joh/Shupe, to approve:

APPROVAL OF OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR ROCK SPRINGS STONETREE AREA SEWER EXTENSION PROJECT

Passed in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** Mr. Campbell pointed out the Board's next regular business meeting would be at 9:00 a.m. on Friday, September 23, 2011 and the Work Session would at 4:30 p.m. on the Thursday before (September 22, 2011). Mr. Campbell also thanked the police, fire and public works employees for their response during the storm last Saturday. He noted it was United Way time again and the committee would be chaired by Morris Baker. Lastly, he stated the Dobyns-Bennett Band will premier the half-time show this Friday night that they will be performing at the University of Tennessee football game on October 1, 2011.

**B. MAYOR AND BOARD MEMBERS.** Alderman Segelhorst echoed Mr. Campbell's remarks regarding outstanding public service last weekend, also noting business employees acted appropriately and made a bad situation a little better. He further stated we were fortunate that no lives were lost and thanked other organizations that responded, including the Red Cross.

Vice-Mayor Parham stated he was out there a couple of different times last Saturday and commented on the potentially dangerous situation, noting ruptured gas lines. He commended the city employees and the leadership of the police and fire departments.


Alderman Joh remarked she was afraid we lost every Bradford Pear tree in Kingsport.

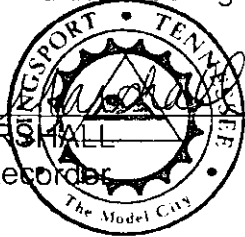
Mayor Phillips called attention to the upcoming anniversary of 9/11, noting it was five days away. He stated he was thankful we could still have meetings and disagreements like we have, but we're all still in it for the same cause.

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**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8: 58 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor